THE REMONSTRANCE
AGAINST WOMAN SUFFRAGE

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THE PRESIDENTIAL SUFFRAGE TRICK

The suffragists persist in their preposterous contention that the clause in the Federal Constitution which provides that "Each State shall appoint, in such manner as the Legislature thereof may direct" a number of Presidential electors, not only gives a legislature absolute freedom to adopt any freak method it may please, but allows it to create an entirely new and different electorate, regardless of all restrictions and prohibitions in State Constitutions. As definitely stated by Mr. Dorman, who assumes the functions of suffrage adviser in the Massachusetts Legislature: "The right to determine the manner of choosing Presidential electors which is conferred upon the legislatures of the several States by the second paragraph of Section I of Article II of the Federal Constitution cannot be restrained or controlled in any particular by the State Constitution." Accordingly, Mr. Dorman quotes, without apparent dissent, the opinion of an unnamed "certain Congressman," who affirmed that a State legislature "might vest the choice of Presidential electors in a board of bank directors, a turnpike corporation, or a synagogue." It seems never to occur to the suffragists or their advocates that, when they put such farcical interpretations upon the Constitution of the United States, they treat with scant respect the founders of our Government.

The fundamental principle, when one seeks to determine the precise meaning of an ancient constitution is to determine, if possible, exactly what the framers of it had in mind. It is not necessary to go far afield to find out precisely what the framers of our Federal Constitution meant to do, and thought that they were doing, with reference to the appointment of Presidential electors. At the beginning, and for some years afterwards, some of the States preferred to choose presidential electors by direct appointment by their legislatures and others by vote of the people. Even at the first election, the attempt was made in several States to give the choice of electors to the people. In 1792, electors were chosen by the legislatures in nine States, and by the people in five States; in 1796, by the legislatures in ten States, and by the people in six; in 1800, by the legislatures in ten States, and by the people in six, and so on, the plan of popular elections growing in favor, until all the States adopted it. In 1876, Colorado having been admitted to the Union in August of that year, the choice of electors for that year was made in that State by the legislature, in order to avoid an additional election, but all the others of the thirty-eight States chose them by popular vote.

When we inquire, therefore, what was in the minds of the framers of the Constitution of the United States, when they wrote the phrase which the suffragists now are trying so desperately to twist to their own uses, the answer is simple and obvious. They intended to leave the States free to choose between the methods practiced at the beginning—appointment by the direct action of the legislature, if that was preferred, or by the vote of the people, if that was preferred. For more than a century, no attempt was made to read into the phrase any different meaning than that which appeared on the face of it, and which was sustained by the actual history of the country during that period. The endeavor of the suffragists to give it

an interpretation never dreamed of for more than a century, and to make that interpretation so sacrosanct that the most explicit and emphatic provisions of State Constitutions cannot stand before it is too absurd to be taken seriously by any student of American history and institutions.

A SPITE CAMPAIGN

The attempt which certain New York suffragists, led by Miss Mary Garrett Hay, are making to defeat the re-election of Senator Wadsworth, is simply a spite campaign of the lowest order.

The only basis for it is the fact that Senator Wadsworth voted against the Federal Suffrage Amendment. If that amendment were still pending in the Senate, there would be a certain excuse for opposing Mr. Wadsworth's re-election, on the ground that to defeat him would be to eliminate one hostile vote. But the amendment is not now a live issue in the Senate. Both houses of Congress have concurred in sending it to the Legislatures. An organized attempt to defeat him now is simply a seeking after revenge because, when the question was before the Senate, he voted in accordance with his sincere convictions, instead of truckling to the suffrage "picketers." That is the only grievance which the suffragists have. Senator Wadsworth is one of the ablest members of the Senate. He is serving on important Committees, and is influential in shaping legislation of vital moment. But these truculent suffragists are so incensed because he would not surrender his convictions at their demand that they are now trying to defeat him.

This movement is the more inexcusable because Miss Hay, who is directing it, is one of the members of the Executive Committee of the Republican State Committee of New York, and is chairman of the Executive Committee of the Women's Division of the National Republican Committee. If these positions mean anything, they mean that the person holding them is pledged to do everything that is legitimate and possible to promote the success of the party and its candidates. Yet Miss Hay proclaims her purpose to bring about the defeat of the Republican candidate for one of the most important offices at stake in the election—involving, of course, the election of his Democratic opponent, and the withdrawal of one Republican vote and the addition of one Democratic vote upon whatever party divisions may develop in a closely divided Senate.

If Miss Hay persists in this course, she should at least have the grace to resign her political positions, or, failing that, she should be asked by her official superiors to resign them. Miss Mary G. Kilbreth, President of the National Association Opposed to Woman Suffrage, well expresses the feeling which must be shared by thousands of Republican men and women in New York, in her letter to the National Republican Chairman, Will H. Hays:

"You are the head of the most important Republican organization in the country. You are responsible for the subordinates you have appointed. You cannot deny responsibility for Miss Mary Garrett Hay. Do you approve the course being followed by her, and which is alienating thousands of Republicans? It is high time for you to dismiss Miss Hay from the Women's National Republican Committee, financed by you out of the Republican campaign fund contributed for the success of party principles, or you stand committed to her party disloyalty."

THE STATUS OF OHIO

Of the two suffrage organs, *The Suffragist* and *The Woman Citizen*, *The Suffragist* is far the more candid; for, while *The Woman Citizen* goes on carrying Ohio in its list of States that have ratified the Federal amendment, and suppressing all reference to the fact that the question is still an open one, to be submitted to a referendum to the people, *The Suffragist*, in its issue for February, frankly says: "In the absence of a decision by the Supreme Court of the United States, upholding Ohio's ratification without regard to a referendum, we may not count ratification safely completed until thirty-six States have been won, exclusive of Ohio." And of Ohio as a "test case," and its relation to other States which have referendum provisions, *The Suffragist* says:

"In Ohio a petition was circulated, and filed in September, demanding a referendum on the ratification of the suffrage amendment. An effort was made to prevent such a referendum by injunction, but the injunction was refused by both the lower and the higher court of Ohio, and was carried by appeal before the United States Supreme Court.

How important the decision is for suffragists is evidenced from the list of twenty-two states which have the referendum laws, and in which a referendum, if declared legal, would be possible. The twenty-two are: Arizona, Arkansas, California, Colorado, Idaho, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah and Washington."

As the constitution of Ohio expressly specifies the application of the referendum to Federal amendments, there is good reason for *The Suffragist's* solicitude.

While *The Woman Citizen* maintains a discreet silence upon the Ohio case, it is interesting to notice that, in an intimate personal appeal to its members, the National American Woman Suffrage Association, last January, urged generous gifts on this very ground: "A test of the legality of referenda on ratification of federal amendments will have to be made in the Federal Supreme Court. We are sure to win, but court action costs money."

NOTHING SHORT OF "EQUALITY" WILL DO

When Republican suffrage women from fourteen middle States assembled at a banquet in Chicago, on the 4th of January, to confer on party plans and issues for this year's campaign, they demanded "equal representation" with the men on the national committee of the party, and urged "a fair representation of women delegates from each State" in the national convention in June. They also passed a formal resolution that the coming national convention "take action to double the membership of the National Committee, so that each State be represented by one man and one woman member" and that this become the policy of the party "in all party committees, both state and local." This action was taken when only fifteen States in the Union had adopted full suffrage for women; and it would have puzzled the not over-diffident suffragists to say whom the proposed woman members of all party committees in the other thirty-three States were to "represent." Nevertheless, they insisted on having them appointed. Not content with this, the women went on to draw up ten planks which they urged for the National Republican Convention to adopt, when it met. They were much cheered when Will H. Hays, Chairman of the National Republican committee, in an address at the banquet declared: "The Republican party offers the women everything we offer the men." Then it seemed to them that their demand for one-half the membership of all the party committees was as good as granted.

But disappointment awaited them. When Chairman Hays, on the 28th of January, announced his appointments to the advisory committee which is to help in the framing of the party platform, behold, out of 171 members, only 19 were women. That was just 66 short of what the women thought he had promised them. Can Mr. Hays have imagined that such gross inequality could be overlooked?

A CONFESSED ANARCHIST

Mrs. Marion Sproul, State Secretary of the Communist Party for Massachusetts, to whose activities reference was made in the January REMONSTRANCE, appeared before Judge Aken in the Superior Criminal Court in Boston, on the 27th of February, and pleaded guilty to two complaints charging her with the promotion of anarchy. One of these complaints was that, on Oct. 19, 1919, she "by speech did advocate, counsel and incite the unlawful destruction of real and personal property and the overthrow by force and violence of the government of the commonwealth." The speech referred to in the indictment is that to which THE REMONSTRANCE called attention, in which Mrs. Sproul said:

"We should have a party and revolutionary mass action. We are affiliated with the Third International. We must organize industrially in one big union. We cannot compromise on any point whatever. We have the spirit of rebellion. This is the party of the revolutionary spirit. We are going to take all there is, and control it, and have it for ourselves. We will carry no driftwood. When the day comes, I am going to take what belongs to me—not going to demand it, but take it."

At this meeting, it was announced that state organizers had established locals, during the preceding month, in a score of industrial cities and towns, and it was declared that the time for "action" was drawing near, and one speaker said: "We are the ones who will have to do the blood-letting."

The second complaint to which Mrs. Sproul pleaded guilty charged that, on Nov. 13, 1919, she, "by exhibition of certain printed document and paper styled the 'Manifesto of the Communist International,' did advocate, advise, counsel and incite assaults on public officials, the killing of persons, the unlawful destruction of real and personal property and the overthrow of the commonwealth."

Mrs. Sproul's plea of guilty to these charges of anarchy is an admission of the sanguinary propaganda in which she and her confederates in the Communist Party are engaged, and should enlighten easy-going men and women, who are blind to the drift of things. As THE REMONSTRANCE has repeatedly urged, every reasonable man should wish to defer so revolutionary and irrevocable a change as woman suffrage involves, at least until the nation has had time to deal intelligently with the grave questions of social, economic and industrial reconstruction which have followed in the wake of the war.

A GREEN MOUNTAIN GOVERNOR

(Editorial in *The New York Times*, Mar. 5)

The Vermont Republican State Committee, profoundly interested, as all State Committees and National Committees are, or affect to be, in the ratification of the amendment, passed resolutions asking the Governor to call the Legislature—and duly praising the amendment. In reply Governor Clement writes drily that the resolutions seem "to be good propaganda, and, if so, will adequately serve the present purpose." Moreover, since the amendment would vitally affect the State Constitution, the voters should be allowed to declare at the polls whether they wanted it ratified or rejected. Then the Legislature can act intelligently; can carry out the known will of the people.

This may be old-fashioned doctrine, but it is sound. Neither this amendment nor any other amendment should be hurried through the Legislatures for supposed political or partisan advantage. Gravely, deliberately, not for any temporary reason, but with a view to its long and permanent results, should a change be made in the fundamental law. It is a pleasure, if a little of a surprise, to find that there are still a few Governors who have not forgotten the momentousness of such a change and are not in the least perturbed by the competitive zeal of political committees.

WHY MARYLAND REJECTED SUFFRAGE

The reasons why the Maryland Legislature rejected the Federal Suffrage amendment, on the 17th of February, by an overwhelming majority in both houses, were clearly stated in the joint resolution upon which the action was taken. As these reasons involve large constitutional principles, which are likely to form the basis of the appeal which will be taken to the Supreme Court of the United States, if the amendment should be ratified by three-fourths of the State Legislatures, the following editorial summary of them, in the *New York Times* of February 20, has more than ordinary interest:

The argument is this: It was the purpose of the people of the United States in adopting the Federal Constitution, to establish permanently, in the words of the Supreme Court "an indestructible union of indestructible States." For this purpose, every State must be preserved as "an indestructible unit." Therefore, when the people conferred upon Congress and the Legislatures of three-fourths of the States the power to amend the Constitution, "it could not have been their intention to authorize the adoption of any amendment, or any measure under the guise of an amendment, which would wholly or partially destroy the State, by taking away from the States any one of their functions essential to their separate independent existence as States." The right of a State to determine for itself and by the vote of its people who shall vote at its State, county and municipal elections is one of those functions. The State that gives up the right of local self-government ceases to be a State, becomes "a mere province" whose people have "far less power to determine their own destiny than they had prior to the American Revolution," under a charter from the British crown.

Moreover, the Maryland Legislature could not ratify this proposed Nineteenth Amendment without violating the Maryland Constitution, which limits the right of suffrage to men; nor have the people of Maryland given their Legislature the right to extend the franchise to women. Yet the amendment, if ratified and held valid, would in effect amend the Maryland Constitution and establish woman suffrage in Maryland "without the consent and, it may be, contrary to the wishes of a majority of both the men and women of America."

This presentation of the question *The Times* pronounces "an interesting and a plausible argument"; and it goes on to say:

Vital questions, not only of State rights but of popular sovereignty, of the will of the people, are involved in this amendment.

The theory of the American political system is the ultimate sovereignty of the people. In each State that sovereignty resides in the persons whom the State Constitution permits to vote. The people of each State are, in fact, the qualified voters of that State. . . . The Government of the United States is a Government of enumerated powers; and "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." By what actual grant in the Constitution or by what necessary implication from powers expressly given can two-thirds of the Congress and three-fourths of the States derive the power to deprive any State of the right to determine who shall vote at its elections—that is to say who, for political purposes, shall be regarded as its people, its sovereign people?

That is a question which the hot-headed suffragists, who are trying to force woman suffrage upon every State in the Union, without at any point consulting the will of the people, and, in many States, in direct violation of the expressed will of the people, will find it extremely hard to answer.

"BLOCKING THE WILL OF THE PEOPLE"

The Woman Citizen of January 31 published an article entitled "Blocking the Will of the People," which said:

"But for the recalcitrant attitude of three or four states like Connecticut, where Gov. Marcus H. Holcomb has not seen fit to call a special session of the biennally meeting legislature, the ratification of the amendment would be assured in time to give the women of the country full participation, not only in the election itself, but also in the party councils preceding the election."

The Woman Citizen made an unfortunate choice in the title of its article. The change of a single word,—the substitution of "Politicians" for "People," would have made it perfectly truthful. It was the will of the politicians that Governor Holcomb "blocked." He stood out manfully, and deserves all praise for it, against persistent pressure from the politicians to call the Legislature in special session, at large cost to the state, to aid the scheme of the suffragists to load woman suffrage upon the State, and to join in loading it upon other States, without allowing the people to be consulted at any stage. That is the very essence of the Federal suffrage proposal, the prime aim of which, as admitted by the suffrage leaders, is to allow them to escape the "humiliation" of submitting the amendment to the will of the people. This being the established policy of the suffragists, they should be slow to accuse a Governor who declines to play into their hands of "blocking" the popular will. The popular will is the last force that they want to have called into action.

A SUPERFLUOUS BAND

When the Maryland suffragists made their final attack upon the Legislature of that State, on the 17th of February, they did so with banners flying and a band playing martial music. The capitol at Annapolis had rarely witnessed so exuberant a demonstration. But when the vote was taken, the Senate rejected the amendment, 18 to 9, or exactly two to one; and the House rejected it, 64 to 36. After that, the only use of the band would have been to play the Funeral March. It is not recorded whether the leaders ordered it.

(From *The Woman Patriot*)

THE MENACE OF AN ILLEGAL PRESIDENTIAL ELECTION

By Miss Mary G. Kilbreth

President, National Association Opposed to Woman Suffrage

In justice to the American people, I lay before you the political catastrophe that threatens the nation. The country is facing the most serious legal and political battle since the Civil War, yet it is safe to say that only a few lawyers, perhaps a dozen newspaper men, and only half a dozen political leaders know the facts about this crisis, or even that it is upon us.

First of all, I wish to make it clear that this is *not* anti-suffrage propaganda. Mrs. Carrie Chapman Catt, president of the National American Woman Suffrage Association, in a confidential letter to her suffrage followers on December 27, 1919, warned them that the question of referenda on the ratification of the pending Federal Suffrage Amendment would have to be decided by the Supreme Court of the United States, and she asked for $100,000 to conduct the case. There will be *at least three cases.*

1. THE REFERENDUM CAMPAIGN is only one phase of the subject. Briefly, it is the question as to whether the people, under the *referendum clauses* of their State constitutions, are entitled to vote on the ratification of Federal amendments. The Supreme Courts of Ohio and Washington have ruled that they may in those States. The Supreme Court of Oregon, and the Circuit Court of Appeals of Arkansas, have ruled that they may not in those States. There are 22 referendum States, 19 of which have ratified the Federal Suffrage Amendment, and in which, says *The Suffragist* for February, "a referendum, if declared legal, would be possible."

2. THE STATE SOVEREIGNTY ISSUE is the big fundamental case. Maryland has already approved a resolution denying the power of Congress to submit such an amendment, and attacking its validity on the ground, briefly, that it would destroy the State and make it a province, with less authority in deciding who shall vote for its own State officers than it enjoyed under the original charter from the British Crown. This resolution is not merely a "resolve" by a legislative body, but a *legal brief,* prepared by one of the ablest constitutional lawyers in America.

What has this to do with "the most serious legal and political battle since the Civil War," mentioned in my opening paragraph?

Any lawyer *thoroughly* conversant with the history of proposed suffrage amendments to the United States Constitution knows that the people of Ohio and the State of Maryland have more than an even chance of winning their cases—and there is little doubt that other States will join in the campaign.

Therefore, the validity of every woman's vote cast under the alleged Federal Suffrage Amendment is certain to be challenged, *not necessarily* by the opponents of woman suffrage, *but by the great political parties.*

What political party, losing a national election by the electoral votes of one or two States where the validity of the elections was open to serious question, would hesitate to throw the entire Presidential election into the courts?

The political leaders who are urging ratification, regardless of the fundamental legal issues involved, are headed straight for political chaos, for until the legality of the Federal Suffrage Amendment is established, any election held under it can be challenged and *will be challenged* on a far more serious array of evidence than the Hayes-Tilden contest presented, and with perhaps even greater danger to the United States. It must be remembered that the two great political parties are almost evenly matched today; that most of the States are "doubtful"; that President Wilson won in 1916 by only 23 electoral votes, of which 13 in California were obtained with a popular majority of 3,773, and 4 in New Hampshire by a plurality of only 56 votes. In Minnesota, Mr. Hughes won 12 electoral votes by a plurality of only 392.

If the legality of women's votes under the amendment is denied by the Supreme Court in those States where women have no such vote under their own Constitutions, it might require *a second election* to find out who was President of the United States, for there is *no separation* of men's and women's votes under full double suffrage.

3. THE PRESIDENTIAL SUFFRAGE SITUATION presents another serious issue. Indiana, Iowa, Maine, Minnesota, Missouri, Nebraska, North Dakota, Wisconsin and Ohio elections are already jeopardized by the passage of bills (contrary to their State Constitutions), allowing women to vote in the Presidential election. The Indiana Supreme Court has already decided (October 23, 1917) that this legislation is *unconstitutional,* but the Indiana Legislature, under the suffrage whip, and apparently wishing to "please the women" by passing another bill of this sort, again adopted a Presidential suffrage resolution in 1919—which has not yet been carried to the courts. In Ohio and Maine, the anti-suffragists have filed referenda on the Presidential suffrage bills, which will be decided by popular vote next November. In all of the above States, either party (or any candidate) can challenge the electoral vote on the ground of the illegality of votes cast by women, contrary to the State Constitution.

Our point has been to try to *prevent* any such complication by blocking ratification. But it should be remembered that the question of legality is *certain to be challenged,* and all good citizens will agree with us, we believe, that it is better to challenge it *before* rather than *after* a great Presidential election; better to have it decided calmly as a strictly legal issue *now* than have it provoke another Hayes-Tilden contest next November.

THE RIGHT TO RESCIND

Hon. Elihu Root, one of the foremost constitutional authorities, is unhesitatingly of the opinion that, while a State Legislature cannot rescind or withdraw its ratification of an amendment after three-fourths of the States have duly ratified it, "before it has become effective by ratification of three-fourths of the States, if it appears that there has been a change of circumstances or opinion, then the State legislature has the power and ought to voice such change by a resolution of rescission, to the end that the other States may be advised of the true opinion and position of the State in regard to the amendment."

A SCRAMBLE OF POLITICIANS

During the last few months, the campaign for the ratification of the Suffrage Amendment has become little more than a scramble of politicians. From the White House and from the departments at Washington, and from the chairmen of the National Committees of both political parties have gone out injunctions and admonitions to legislators and Governors in different States, urging prompt affirmative action upon the Amendment in a manner not easily distinguished from direct orders. These appeals are not based upon any considerations of right and wrong, upon the wishes or needs of women, or upon the will of the people—this least of all, since it is the policy of the suffragists to fight bitterly every proposal for a referendum—but upon the bald, unconcealed desire to get party advantage out of the situation. These short-sighted politicians seem to think that what they call "the women's vote" is something that can be handed over in a bunch to whatever party does most to promote ratification of the Amendment. They show a poor understanding of women; for all intelligent observers agree that, wherever women vote, although they do not take anything like an equal interest with men, or vote in anything like the same numbers, they divide practically along the same lines, and neither party gains any appreciable strength from their votes.

The direct pressure from Washington upon individual members of State Legislatures and upon Governors sometimes reacts upon independent minds in a way which one would imagine might induce a larger measure of caution. When Attorney General Palmer, for example, wrote a long, personal appeal last autumn to Governor Harrington of Maryland, urging him to call a special session of the Legislature to act on the Amendment, he received a spirited refusal, to the effect that the Governor did not think it right to call a special session and to put the State to heavy cost, especially as the Legislature then in office had not been elected with the question of the amendment before the people. This was a timely reminder that the people were to be consulted at some stage, if not by a direct vote upon the proposal, at least in the choice of legislators who were to act upon it.

It appears that Homer S. Cummings, Chairman of the National Democratic Committee, wrote personal letters to individual Democratic members of legislatures about to assemble, on the 27th of December, expressing the wish that they should not vote against the ratification of the Amendment, "nor help to defeat it indirectly by referring it to a referendum, or by substituting a State-wide suffrage resolution" and adding that "It becomes most important that the Democratic State Assemblies which meet in January should establish as excellent a record as possible for our party before the next national election." This is a frank admission that the end in view was not the vindication of any principle or the establishing of any right. How the giving of such instructions as this reacted upon some of the legislators addressed may be seen from this passage from a reply written by one of them—Senator Charles S. Grayson of Maryland:

"Coming back to the suffrage amendment, I wish you to thoroughly understand that the overwhelming sentiment of Maryland is against it, and I will most assuredly vote accordingly, and will use my best efforts to defeat it in every way possible; nor will I, so far as I am concerned, endure without the most solemn protest any unwarranted intermeddling by outsiders with our purely local concern, whether it comes from the President of the United States, Mr. Attorney General Palmer, the chairman of the National Committee, or any one else in authority or otherwise."

There was similar "unwarranted intermeddling" in Virginia; and the reaction to it of the true public sentiment of the State was strongly expressed by the *Richmond Times Despatch* in these words:

"Virginia will not sell itself. It is not on the political bargain counter. Haranguing and pleading from Washington will not alter its determination. Suffrage threats and the card-index system will not suffice to change the mind of the Assembly. It has withstood other assaults, and it will repel this one. The time has not come when Virginia will place political policy before political righteousness, or consent willingly to have its ballot-box placed at the mercy of the Central Government. At least this one democratic heritage remains, and the Assembly will safeguard it."

THE NEED OF REFERENDA

The injustice and the danger of a system which admits of the pushing through of amendments to the Federal Constitution without any opportunity for the expression of the popular will are beginning to be recognized. A resolution has been introduced in the New York Legislature by Senator Walters, Republican Senate leader, which provides for an amendment to the state Constitution to this effect:

"Whenever an amendment to the Constitution of the United States shall be proposed by the Congress of the United States, and hereafter or heretofore submitted to the Legislature of the State for ratification, the Legislature, at its first annual session at which such proposed amendment shall have been submitted to it for ratification, shall by appropriate legislation provide for the submission to the people of a proposition as to whether or not such proposed amendment to the Constitution shall be approved by the Legislature of the State."

A proposition similar to this has been favorably reported in the Massachusetts Legislature. If the process of ratifying Federal amendments had been subject to submission to the vote of the people in all the States, we should not have seen the Legislatures badgered and bullied into swift and unconsidered action on the suffrage amendment during the last months. There would have been an opportunity for real campaigns, and for ascertaining what the people wanted. Even now, it is not too late.

SUFFRAGE AND THE REFERENDUM

(Editorial in *The Boston Herald*, Mar. 18)

The decision of the United States Supreme Court upon the validity of the Ohio referendum cannot be given as early as was anticipated. March 1 was the date set for the hearing, but it has been postponed until April 12.

The case comes before the court on an appeal by the suffragists of Ohio from the refusal of the supreme court of that State to enjoin the secretary of state from allowing the people to vote upon the ratification of the federal suffrage amendment. Unless the United States Supreme Court overrides the decision of the State Supreme court, the referendum must take place; and the status of Ohio, now carried in the suffrage column by reason of the affirmative action of the Legislature last June, cannot be determined until the result of the referendum is known. The last time that a suffrage question was submitted to the voters of Ohio was on Nov. 6, 1917, when a presidential suffrage bill, which had passed the Legislature, was submitted on a referendum petition, and was defeated by an adverse majority of 146,120.

The opponents of suffrage derive encouragement from an earlier case which came before the United States Supreme Court—the case of Ohio *vs.* Hildebrand—the decision of which, given by Chief Justice White, was to this effect:

"The decision of the highest court in the State that under such amendment the legislative power of the State is now vested not only in the General Assembly, but also in the people by referendum, and that a law disapproved by the people was no law, is conclusive here."

The pending decision of the United States Supreme Court in the Ohio case will have an important bearing, as the *Herald* has shown, upon the suffrage question in other states, which have provisions for a referendum similar to that which is being tested in Ohio. Campaigns for referenda on ratification are already planned in Oklahoma, where a petition signed by 5 per cent. of the voters calls for a referendum; and in New Mexico, where a petition signed by 10 per cent. of the voters in three-fourths of the counties is required.

A "SCRATCH" RATIFICATION

(Editorial in *The Boston Transcript*, Mar. 11, 1920)

West Virginia's ratification of the suffrage amendment—a ratification by one majority in the Senate after the amendment had already been rejected there twice, and as a result of an amendment of the Senate rules and the vacating of one senator's seat for the purpose—places the number of ratifying states at thirty-four, with two to come in order to make the necessary thirty-six. The two will come, but they will have to come quickly in order to secure the vote of women, throughout the nation, in this year's Presidential election. And there may be reasonable doubt whether the election of a President should be made to depend on so devious a process as West Virginia's ratification, which rests not only on an amendment of the rules, but on the expulsion of one senator. If the rejection of the amendment had not rested on Mr. Montgomery's vote, his removal would never have taken place. It must seem even to many conscientious suffragists a rather dubious thing to subject a Presidential vote to the risk of invalidation as the result of so dubious a process as that; and since the suffrage amendment is quite sure to be ratified anyway, it may well be hoped that it will not be proclaimed until it is ratified by thirty-six States without counting West Virginia.

Special sessions of the legislatures of Washington and Delaware have now been called. Washington is sure to ratify and Delaware may do so. But without Connecticut, Vermont or North Carolina, there can be no ratification by thirty-six States without West Virginia. The character of the ratification obtained in that State certainly creates an uncomfortable situation.

CHAIRMAN HAYS' SUFFRAGE PARTISANSHIP

Elizabeth, N. J., Mar. 17, 1920.

Ex-Senator W. Murray Crane,
Dalton, Massachusetts,

My dear Senator Crane:—

As an influential member of the Republican National Committee, it occurred to me that I might appeal to your sense of justice in calling to your attention the following facts:

I read in the *New York Times* of March tenth, that National Chairman Will H. Hays had ready an airplane and a special train, to take Senator Bloch to West Virginia to vote to ratify the Federal Suffrage amendment. The Senator chose the train. The *Times* says that the train cost $5,000.

The question arose in my mind, "By what authority does Mr. Hays use the Republican funds (if he did so) given for the use of the Republican party (and contributed by anti-suffragists and suffragists alike) to bring about the ratification of the amendment, which the anti-suffragists strongly object to?

If he is doing it with the suffrage funds, what right has he to further the interests of the suffragists by using the power of the backing of the Republican party to promote their cause, when the ranks of the Republicans are composed largely of men and women who are opposed to the ratification of the amendment?

Mr. Hays, and the National Republican Committee, are exceeding their authority in forcing ratification.

The National Platform stands for State's rights, and should so stand until the next National Convention.

Very truly yours,

CLARA VEZIN,
Chairman of Legislative Committee, N. J. Ass'n Opposed to Woman Suffrage.

THE CONSTITUTION of West Virginia requires a two-thirds vote to expel a member of the Legislature; but the West Virginia Senate, under the suffrage whip, did not hesitate to unseat Senator Montgomery by a bare majority of one, in order to get the vote required for ratification of the Amendment. It is time that suffragists were taught respect for constitutional provisions, and it may be that a useful lesson awaits them in West Virginia.

DELAWARE STANDS FAST

Delaware—the smallest State in the Union, geographically, with the exception of Rhode Island, and the smallest in population, with the exception of Nevada and Wyoming—has succesfully withstood the most persistent and concentrated suffrage siege of the year.

Wheedled, entreated and threatened by both of the suffrage factions, by the President and his Cabinet, by the national leaders of both parties, and by the Governor of the State, the legislators stood their ground, and voted their convictions. To the surprise and consternation of the suffragists, the resolution for the ratification of the Federal suffrage amendment, about whose success the suffrage leaders had made confident predictions, went down to overwhelming defeat in the Delaware House on the 1st of April by a vote of 26 nays to six ayes.

So vanished the suffragists' hope of being able to claim a 36th State in season to forestall the United States Supreme Court decision on the Ohio referendum, which is likely to reduce the total of ratifying States to 34, and to deal a death blow to the suffrage hope of final ratification in time to be effective in the Presidential election this year.

All of the suffrage attempts to bulldoze Governor Clement of Vermont and Governor Holcomb of Connecticut into calling special legislative sessions for ratification have failed; and the suffragists do not know where to turn for the missing States. In only two States are legislative sessions now scheduled—Louisiana on the 10th of May, and North Carolina in July; and in neither State are the suffrage prospects bright.

KENTUCKY suffragists can hardly have much hope of the ratification of the Federal Amendment this year, or they would not have persuaded the Kentucky Legislature to enter upon the doubtful venture of Presidential suffrage.

SUFFRAGE AND SOCIALISM

At a meeting held in Huntington Chambers Hall, Boston, under the auspices of the Brookline Branch of the Massachusetts Anti-Suffrage Association, on the afternoon of March 1st, an address was given by Mr. F. G. R. Gordon on the "Menace of Socialism." Mr. Gordon, who is secretary of the Anti-Socialist League of America, and has been busy in the Northwest organizing societies to counteract Red propaganda, denounced the various forms of radical agitation, declaring that Socialists, Social Democrats and Bolshevists were all of the same type—all based on the idea of the overthrow of existing governments as soon as practicable. He pronounced government ownership a colossal failure, and denied that socialized industry in Europe had ever been successful. Mrs. B. L. Robinson of Cambridge spoke of the close connection between Suffrage and Socialism, and of the way in which the one reenforces and extends the other.

AT the city election in Chicago, on the 24th of February, at which twenty-six aldermen were elected, only 67,608 women took the trouble to vote.

ACCORDING to a press despatch of April 1 from New Orleans, woman suffrage leaders are predicting that the Louisiana Legislature will ratify the suffrage amendment. They will certainly get no help from the present Governor, who last summer issued an appeal to other Southern Governors not to help suffrage through a Federal Amendment.

MISSISSIPPI gave the suffragists a brief paroxysm of joy on the 30th of March, when the State Senate, on a tie vote, with the Lieutenant-Governor casting a decisive ballot, reversed its rejection of the Suffrage Amendment. But, only the next day, the House, by the emphatic vote of 94 to 23, reaffirmed its previous action rejecting the Amendment.

ROBERT N. TURNER

Massachusetts Anti-Suffragists feel deep regret for the death of Robert N. Turner, which occurred on the 25th of February, at his home in Arlington. Mr. Turner was in the full vigor of manhood, and had gained distinction in the legal profession. He was a leader in many good causes; and was greatly valued and trusted by the Anti-Suffragists as their counsel in the campaign of 1915. Of fine judgment and large experience, discriminating, candid, and always courteous, he was respected and beloved by all who knew him, and will be widely missed.

CONNECTICUT WOULD VOTE IT DOWN

(Editorial in the Hartford Courant, March 30)

A number of papers are publishing letters and other articles to the effect that a little coterie of narrow-minded conservatives in Hartford are preventing Connecticut from ratifying suffrage. We have heard about enough of it. The fact is that, if the suffrage amendment were submitted to the men of Connecticut, it would be rejected. The same is true if it were submitted to all the women of Connecticut. The people of this State do not want it. A few can make a great noise. It is readily admitted by ardent advocates of the cause that the State would vote it down, if it were submitted to the people, but they say that they have the Legislature, whether they have or not, and that that body has been seen and is safe.

As we have said before, Governor Holcomb, who is included in the narrow-minded bunch by these broad-minded critics, has not declared against the amendment; he has simply said that, while the Constitution authorizes a governor to call extra sessions, that is only in case of special emergencies, and he cannot see that a vote on an amendment to the Constitution produces an emergency.

The General Assembly to meet next winter can consider the amendment, and if its members think best, can ratify it. A few hundred people get their names in the papers as advocates of the amendment, but the great majority of tens of thousands do not want it.